

M e m o r a n d u m

Governor's Office of Planning & Research

Date: January 22, 2021

Jan 25 2021

To: Templeton Area

STATE CLEARINGHOUSEFrom: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Special Projects Section

File No.: 063.A10212.A14630.Noc.Doc

Subject: ENVIRONMENTAL DOCUMENT REVIEW AND RESPONSE
SCH# 2020120541

Special Projects Section (SPS) recently received the referenced "Notice of Completion" environmental impact document from the State Clearinghouse (SCH).

Due to the project's geographical proximity to the Templeton Area, please use the attached checklist to assess its potential impact to local Area operations and public safety. If it is determined that departmental input is advisable, your written comments referencing the above SCH number must be sent to the lead agency and emailed to state.clearinghouse@opr.ca.gov. Your written comments must be received by SCH no later than **January 28, 2021**. For reference, additional information can be found in General Order 41.2, Environmental Impact Documents.

For project tracking purposes, SPS must be notified of Templeton Area's assessment of the project (including negative reports). Please e-mail a copy of Area's response to Associate Governmental Program Analyst Leah Mora at LeMora@chp.ca.gov. For questions or concerns, please contact Mrs. Mora at (916) 843-3370.

*Denise Dobson For*L. NARVAEZ, SSM III
CommanderAttachments: Checklist
Project File

cc: Coastal Division



Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: _____
 Lead Agency: _____ Contact Person: _____
 Mailing Address: _____ Phone: _____
 City: _____ Zip: _____ County: _____

Project Location: County: _____ City/Nearest Community: _____
 Cross Streets: _____ Zip Code: _____
 Longitude/Latitude (degrees, minutes and seconds): _____° _____' _____" N / _____° _____' _____" W Total Acres: _____
 Assessor's Parcel No.: _____ Section: _____ Twp.: _____ Range: _____ Base: _____
 Within 2 Miles: State Hwy #: _____ Waterways: _____
 Airports: _____ Railways: _____ Schools: _____

Document Type:

CEQA: <input type="checkbox"/> NOP	<input type="checkbox"/> Draft EIR	NEPA: <input type="checkbox"/> NOI	Other: <input type="checkbox"/> Joint Document
<input type="checkbox"/> Early Cons	<input type="checkbox"/> Supplement/Subsequent EIR	<input type="checkbox"/> EA	<input type="checkbox"/> Final Document
<input type="checkbox"/> Neg Dec	(Prior SCH No.) _____	<input type="checkbox"/> Draft EIS	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Mit Neg Dec	Other: _____	<input type="checkbox"/> FONSI	_____

Local Action Type:

<input type="checkbox"/> General Plan Update	<input type="checkbox"/> Specific Plan	<input type="checkbox"/> Rezone	<input type="checkbox"/> Annexation
<input type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Master Plan	<input type="checkbox"/> Prezone	<input type="checkbox"/> Redevelopment
<input type="checkbox"/> General Plan Element	<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Use Permit	<input type="checkbox"/> Coastal Permit
<input type="checkbox"/> Community Plan	<input type="checkbox"/> Site Plan	<input type="checkbox"/> Land Division (Subdivision, etc.)	<input type="checkbox"/> Other: _____

Development Type:

<input type="checkbox"/> Residential: Units _____ Acres _____	<input type="checkbox"/> Transportation: Type _____
<input type="checkbox"/> Office: Sq.ft. _____ Acres _____ Employees _____	<input type="checkbox"/> Mining: Mineral _____
<input type="checkbox"/> Commercial: Sq.ft. _____ Acres _____ Employees _____	<input type="checkbox"/> Power: Type _____
<input type="checkbox"/> Industrial: Sq.ft. _____ Acres _____ Employees _____	<input type="checkbox"/> Waste Treatment: Type _____
<input type="checkbox"/> Educational: _____	<input type="checkbox"/> Hazardous Waste: Type _____
<input type="checkbox"/> Recreational: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Water Facilities: Type _____ MGD _____	

Project Issues Discussed in Document:

<input type="checkbox"/> Aesthetic/Visual	<input type="checkbox"/> Fiscal	<input type="checkbox"/> Recreation/Parks	<input type="checkbox"/> Vegetation
<input type="checkbox"/> Agricultural Land	<input type="checkbox"/> Flood Plain/Flooding	<input type="checkbox"/> Schools/Universities	<input type="checkbox"/> Water Quality
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Forest Land/Fire Hazard	<input type="checkbox"/> Septic Systems	<input type="checkbox"/> Water Supply/Groundwater
<input type="checkbox"/> Archeological/Historical	<input type="checkbox"/> Geologic/Seismic	<input type="checkbox"/> Sewer Capacity	<input type="checkbox"/> Wetland/Riparian
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Minerals	<input type="checkbox"/> Soil Erosion/Compaction/Grading	<input type="checkbox"/> Growth Inducement
<input type="checkbox"/> Coastal Zone	<input type="checkbox"/> Noise	<input type="checkbox"/> Solid Waste	<input type="checkbox"/> Land Use
<input type="checkbox"/> Drainage/Absorption	<input type="checkbox"/> Population/Housing Balance	<input type="checkbox"/> Toxic/Hazardous	<input type="checkbox"/> Cumulative Effects
<input type="checkbox"/> Economic/Jobs	<input type="checkbox"/> Public Services/Facilities	<input type="checkbox"/> Traffic/Circulation	<input type="checkbox"/> Other: _____

Present Land Use/Zoning/General Plan Designation:

Project Description: (please use a separate page if necessary)

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input type="checkbox"/> Caltrans District # _____	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input type="checkbox"/> Regional WQCB # _____
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input type="checkbox"/> Fish & Game Region # _____	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Housing & Community Development	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date _____ Ending Date _____

Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Contact: _____	Phone: _____
Phone: _____	

Signature of Lead Agency Representative: _____ Date: _____

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Project Description for Agzone Services LLC

A request by Agzone Services LLC for a Minor Use Permit (DRC2018-00079) for up to three (3) acres of outdoor cannabis cultivation canopy and ancillary transport. Project development would include the construction of a new gravel access road, installation of security fencing and equipment, and installation of a 5,000-gallon galvanized steel water tank. A modification from the setback standards set forth in Section 22.40.050.D.3.b of the County's Land Use Ordinance is requested to reduce the required setback from 300 feet to 50 feet from the western property line. The proposed project would result in approximately 3.76 acres of site disturbance on an approximately 46-acre property located at 11525 Tule Elk Lane, approximately 39 miles east of the community of Santa Margarita. The project site is within the Agricultural land use category and within the Carrizo Planning Area.

The proposed cultivation is in a vacant area of the site that has been previously farmed. Access improvements would include installation of an access gate at the entry to the proposed cultivation area and a new 16-foot wide road to connect the proposed cultivation area to Tule Elk Lane. The site access road would include a hammerhead turnaround for fire department/emergency services access. Earthwork for project development would not require clearing and grubbing (no grading), and a total of 90 cubic yards of cut and fill balanced on site for trenching the proposed waterline and installation of the base for the new access road.

Employees would also work at three adjacent cannabis cultivation sites; the project would operate up to seven (7) days per week, starting approximately 30 minutes prior to sunrise and extending for eight-hour shifts. During harvest season, the project would employ up to 12 people for four (4) days. Operations may extend up to 24 hours per day during harvest season.

Security lighting would be located on the fence-line, one at each corner of the fenced outdoor cultivation area, and one at the entrance to the cultivation site. Lighting would be provided via five (5), 15-foot tall, solar-powered portable security units. No signage is proposed. The cannabis operation would be enclosed within an 8-foot high slatted chain link fence with privacy slats and a 16-foot wide locked swing gate entrance at the entrance to the cultivation area.

The project site would be served by an existing well that has historically served the property for the existing residence and dry-farming. The well is located west of the existing on-site single-family residence. Approximately 2,250-linear feet of new water service line would be installed from the existing water well to the proposed water supply tank. The project would provide an on-site portable restroom for employees.

Five (5) 9-foot by 18-foot parking spaces would be provided. Solid waste would be stored on site in an area outside of the cultivation area, adjacent to the proposed parking spaces and access driveway. All organic waste storage would either be shredded and tilled back into the soil or stored in a compost pile within the fenced area. Trash service would be provided by Waste Management Services.

Baseline Conditions:

Existing development to remain on site includes a single-family residence, a barn, and multiple small agricultural accessory structures. The existing development would remain and not be a part of the cannabis operations, except for the existing well.

The Biological Resources Assessment reported that the survey area within the subject parcel is primarily vegetated with Dryland Grain Crop (PAX 2019). Soils within the project site are primarily Yeguas-Pinspring complex, with 2-5 percent slopes. The Project site has a history of agricultural use dating back to at least 1994, as determined from aerial imagery, and currently supports barley cultivation. Vegetation is representative of long-standing agricultural use and is dominated by dryland grain crops that are tilled annually. Annual grassland (non-native grasses and ruderal species) was the second most prevalent habitat in the study areas, representing the only remaining semi-natural vegetation community present in fallow agricultural areas and the margins of active cropland.

Developed areas in the study area consist of graded roads, bare ground, man-made structures, domestic animal enclosures, and associated landscaping. Non-wetland depressions were mapped throughout the property. The site is located south of two drainage features. The first (and northernmost) feature is an east/west unnamed riverine drainage located approximately 1,400 feet north/northeast of the site and the second is an east/west ephemeral depression (swale), located approximately 620 feet north/northeast of the site. The swale drains from west to east and is a tributary to the unnamed riverine drainage. The riverine drainage is mapped as a blue-line stream by the U.S.G.S. and classified by the United States Fish and Wildlife Service (USFWS) as R4SBC, a sparsely-vegetated, riverine system that is seasonally flooded with surface water for extended periods, especially early in the growing season, but is absent by the end of the growing season in most years. The swale is classified by USFWS as a palustrine system with surface water present for brief periods (from a few days to a few weeks) during the growing season and is shown on the site plans as a non-wetland depression. One depressional wetland was mapped in green adjacent to an existing culvert under Tule Elk Lane, approximately 600 feet north of the site.

Surrounding land uses include similar agricultural operations in all directions, vineyard to the southeast, and rural residences to the north, east and west, and Topaz Solar Farm to the north, east and south.

Ordinance Modifications:

Setbacks. The project includes a request for modification from the setback provisions set forth in Section 22.40.050.D.3.b of the San Luis Obispo County Land Use Ordinance (LUO), which establishes a minimum 300-foot setback from the property line for outdoor cultivation. The outdoor cultivation area meets the 300' required setbacks to the north, east, and south. As described in Sections 22.40.050.D.3.e and 22.40.050.E.7, the setback may be modified with a Use Permit if specific conditions of the site and/or vicinity make the required setback unnecessary or ineffective; and if the modification of the setback will not allow nuisance odor emissions from being detected offsite. The requested modification is for a reduced setback from 300 feet to approximately 50 feet from the

western property line. Materials submitted with the application provide the following rationale to support the request:

- The western property setback is unnecessary because another applicant is also proposing outdoor cannabis cultivation on the adjacent property at 11520 Tule Elk Lane.